

THEODIS BROWN,)
)
 Plaintiff,)
)
 v.) Case No. 4:15CV1571 CDP
)
 STLCC DIST. BOARD,)
)
 Defendant.)

In December 2015, I denied plaintiff Theodis Brown’s motion to proceed *in forma pauperis* because he failed to present any information regarding his financial status, and I dismissed his complaint without prejudice because he failed to comply with Court Orders. In January 2016, I denied his motion to reconsider the dismissal of this action. The Eighth Circuit Court of Appeals dismissed his appeal for failure to prosecute, and mandate issued on this dismissal in March 2016. In January 2017, the Eighth Circuit denied Brown’s request to reopen the appeal. Brown recently filed in this Court a motion to set aside the December 2015 judgment of dismissal. I denied this motion on March 12, 2018, finding no grounds to set aside the dismissal. Brown has appealed this ruling and seeks leave to proceed *in forma pauperis* on appeal. I will deny this request.

First, I note that Brown continues in his failure to present any information


regarding his financial status, so I am unable to ascertain whether pauper status is appropriate. Regardless, an appeal from my Order denying his motion to set aside the judgment would not be taken in good faith given that Brown failed to present any articulable, non-frivolous grounds to set aside the dismissal. 28 U.S.C. § 1915(a)(3); *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962).

Accordingly,

IT IS HEREBY ORDERED that Theodis Brown's motion to proceed *in forma pauperis* on appeal [50] is **DENIED**.

IT IS FURTHER ORDERED that Brown shall, within thirty (30) days of the date of this Order, either pay the \$505 appellate filing fee or file a motion in the United States Court of Appeals for the Eighth Circuit for leave to proceed *in forma pauperis*.

IT IS FURTHER ORDERED that no additional motions shall be filed in this closed case. Any future documents or pleadings in connection with Brown's appeal shall be filed directly with the United States Court of Appeals for the Eighth Circuit.



CATHERINE D. PERRY
UNITED STATES DISTRICT JUDGE

Dated this 22nd day of March, 2018.